

Flood Constraint Constraints (FCC) Options and Considerations

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This seems to be an issue at the core of this matter and may affect the prospect of reaching a consensus recommendation. Currently circulating memoranda may address these issues in whole or part.

Current challenges we face on FCC:

- ◆ What does it mean to change the FCC to minimal relaxation?
 - How many days? At what magnitude?
 - How many acres or farms are affected?
- ◆ Why change FCC by 8 Kcfs and 4 Kcfs at various locations?
 - Would other numbers work better and be safer?
 - What are the tradeoffs?
- ◆ How strong are the political pressures on each side of this? Is this an issue on which parties can compromise or must they “take a stand” for political rather than scientific/technical reasons?
- ◆ What is the increased risk for any localized and high intensity events that will increase crop damage when a release has been made?
- ◆ Is there any flexibility in the minimal relaxation? Can it be introduced in a sequence of iterated relaxations?
- ◆ If relaxed FCC were adopted by the Agencies, would downstream interests determine to:
 - Litigate it now?
 - Wait and see and litigate later if needed?
- ◆ What would it take to forestall litigation to let MRRIC get going and see if MRRIC could resolve or partially resolve this?

Are there mitigations measures that would be useful or acceptable if minimal relaxed FCC are selected?

- ◆ Would pumping or pumping subsidies aid affected farmers?
 - How could this be done and distributed/administered effectively, efficiently and fairly?
 - How might it be subsidized/funded?
- ◆ Can flap gates be moved to reduce flooding?

- Do they principally operate by gravity, and cannot be adjusted to provide more flexibility for river elevation operations?
- ◆ What can be done with NWS or other warning systems to avoid localized flooding?
- ◆ What monitoring would be needed on the issue of relaxed FCC?
- ◆ Is there a way to have a sequence? E.g., start with lower levels of relaxed FCC and increase as less risk is seen? Or start with relaxed FCC and then reduce if crop damage is encountered?
- ◆ What compensation schemes would work for farmers?
 - How would the SR specific damage be identified?
 - What about enhanced crop insurance?
 - Other sources of compensation?

Discussion of a Navigation season shift to let both rises come up from winter levels (to avoid FCC adjustments)

- ◆ Is this an issue on which future negotiation would be helpful?
- ◆ What, if any, subsidy or compensation would be needed? From whom?
- ◆ Would any compensation scheme for delays in navigation be useful?